**IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.**

**Writ Petition No. 879(S/S)2007**

Smt. Asha Chawdhary W/o Sri Alok Chawdhary,
Assistant Teacher in Primary School-Gaithana,
Block-Bin, Tehsil and District Pithoragarh. ---- Petitioner.

**Vs.**

1. State of Uttarakhand, through Secretary Education, Dehradun.
2. District Education Officer, Pithoragarh,
3. Addl. District Education Officer (Basic), Pithoragarh. ---- Respondents.

Sri D.C.S. Rawat learned Counsel for the petitioner and
Sri Paresh Tripathi, learned Standing Counsel for State of Uttarakhand.

**Hon'ble M.M. Ghildiyal, J.**

Heard Sri D.C.S Rawat, learned Counsel for the petitioner and Paresh Tripathi, learned Brief Holder for State of Uttarakhand/ respondents.

By means of this writ petition, the petitioner has prayed to issue a writ, order or direction in the nature of certiorari for quashing of the impugned order dated 12.06.2007 (annexure no. 2 so far as it relates to the petitioner) passed by the respondent no. 3, by which the petitioner, who is working as Assistant Teacher, in Primary School, Gaithana, Block Bin, Tehsil and district Pithoragarh has been transferred to Primary School, Sirkhal, Block Bin Tehsil and district Pithoragarh.

The grounds of assailing the order impugned, advanced by the learned counsel for the petitioner are the initially the petitioner was appointed as Assistant Teacher Junior Basic School in the year 1997 and was posted at Primary School, Darkot, which

situates in a remote corner of the district. It is submitted that the petitioner remained in most dis-comfortable place (Ati Durgam Area) till 2001 and since then she was posted from Ati Durgam Areas to Durgam Area. Again by the impugned order, the petitioner has been transferred to Durgam area.

Learned counsel for the petitioner has submitted that she has already moved representation on 19.06.2007 before the District Education Officer, Pithoragarh and again on 07th July 2007 to the District Magistrate, Pithoragarh, a copy of which has already been sent to the District Education Officer, Pithoragarh.

In these circumstances, without entering into the merits of the case, I deem fit and proper to direct the District Education Officer Pithoragarh/ respondent no. 2 to take decision on the representation of the petitioner dated 19.06.2007 and 07.07.2007 (annexure nos. 3 & 4 to the writ petition) within a period of two weeks from the date of production of a certified copy of this order before respondent no. 2. The petitioner is also directed to submit a certified copy of this order before respondent no. 2 within one week from today.

Till the representation is decided by the respondent no. 2 or till 10th August 2007, whichever is earlier, the petitioner shall not be relieved from her present place of posting.

With these directions, the writ petition is finally disposed of. No order as to costs.

**(M.M. Ghildiyal, J.)**

July 13, 2007:
NCM: